

**CITY OF CLEWISTON
Regular Commission Meeting
November 21, 2011**

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, November 21, 2011. The meeting was called to order at 6:05 p.m. by Mayor Richard Miller. Pastor John Hicks gave the invocation and the audience recited the Pledge of Allegiance.

Attendance:

Commissioners Present: Mayor Richard Miller, Commissioner Mali Gardner, Commissioner Joseph Miller, and Commissioner Julio Rodriguez. Commissioner James Pittman was absent.

Personnel Present: City Manager Steve McKown, Finance Director Ted Byrd, Police Chief Don Gutshall, Utilities Director Kevin McCarthy, City Clerk Marilyn McCorvey, Golf Course Director Adolfo Pena, City Engineer Tommy Perry, Recreation Director Lance Ramer, Community Development Director Travis Reese, Public Works Director Sean Scheffler, and City Attorney Charles Schoech.

Visitors Present: Jeff Barwick, Sarah Catala, Denise Hatton, John Hicks, Amy McKown, Curtis Pullen, and Jillian Sparks.

ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA – City Manager McKown asked that Agenda Item No. 5.1 – Impact Fee Discussion be added to the agenda.

Public Comments – Pastor John Hicks, President of the Ministerial Association, came forward to inform the Commission of several community events that were going on in the next few days and weeks. He stated on November 22 at 7:00 p.m. a Thanksgiving dinner would be served at the New Bethel AME Church and on Thanksgiving Day at 11:30 a.m., Thanksgiving lunch would be served at the Methodist Church. Pastor Hicks stated there would be a dinner for all senior citizens at the Methodist Church on December 10. Pastor Hicks stated he is also taking donations to give gifts to local senior citizens and there are about 125 names on the list of the needy.

Ernie Redish came forward and inquired if the City Manager's evaluation had been done as it was due in October.

1. Consent Agenda

- A. *City Commission Workshop Minutes – October 13, 2011*
- B. *City Commission Regular Minutes – October 17, 2011*
- C. *City Commission Special Workshop Minutes – October 24, 2011*
- D. *Joint Recreation Workshop Minutes – September 26, 2011*
- E. *Letter to HRMC Requesting to Reconnect Ventura for future use*
- F. *Event Application – ACFC December 17, 2011 – Street Closing*

Commissioner Gardner made a motion, seconded by Commissioner Joseph Miller, to approve the Consent Agenda. Vote 4 yeas, 0 nays. (Commissioner Pittman was absent.)

ORDINANCE

- 2. Ordinance No. 2011-04 – First Reading** - This ordinance is required for the City to proceed with the declaration of a specified portion of Basilan Crescent as surplus property and abandonment of the plat to convey ownership of the property to the adjoining property owners. City Manager McKown read Ordinance No. 2011-04 by title. Commissioner Gardner stated that the taxpayers should not bear any of the costs to accomplish this conveyance and that all expenses should be charged to the petitioner. She asked to see an accounting of expenditures to accomplish this conveyance of ownership.

Commissioner Joseph Miller made a motion, seconded by Commissioner Gardner, to approve Ordinance No. 2011-04 on first reading with the understanding that all costs associated with it be charged to the petitioner, and

to set the public hearing for December 19, 2011. Commissioner Miller amended his motion to include that City Attorney Schoech will amend Section 2 to include lots 7 – 13. Vote 4 yeas, 0 nays. (Commissioner Pittman was absent.)

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

- 3. Resolution No. 2011-13** – This resolution approves an Agreement titled “State of Florida DOT Maintenance Agreement” (previously approved by the Commission) and authorizes the City Manager to sign the agreement on behalf of the City. City Manager McKown read Resolution 2011-13 by title.

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to approve Resolution No. 2011-13. Vote 4 yeas, 0 nays. (Commissioner Pittman was absent.)

- 4. Employee Annual Tokens of Appreciation** – The City Commission has approved awarding Tokens of Appreciation to all City employees, full-time, part-time, volunteer firemen, and Police auxiliary since December 1977. Commissioner Gardner stated that she was not sure if the City should continue these tokens. She further stated that the Commission did not discuss this expenditure at the budget workshops. Commissioner Gardner would like to see these types of expenditures broken out in the budget next year and discussed. She stated the Commission must be mindful of how taxpayer dollars are spent. Commissioner Rodriguez agreed with Commissioner Gardner and feels that the City has been generous to our employees, but he does support the continuation of the tokens this year. Commissioner Joseph Miller stated that the City asks a lot from our employees and some of them receive a low rate of pay. He thought the tokens should be continued. Mayor Miller stated he agreed and he supports giving the tokens. Commissioner Gardner stated that a lot of places do not give Christmas bonuses, and that this item should have been discussed at the budget workshops.

Commissioner Joseph Miller made a motion, seconded by Commissioner Gardner, to approve the Employee Annual Tokens of Appreciation. Vote 4 yeas, 0 nays. (Commissioner Pittman was absent.)

- 5. All Juices & Beverages, LLC, Sales Agreement** – City Attorney Schoech stated that he prepared the Sales Agreement with input from Mr. Perez’s attorney and recommends final approval. Mr. Schoech stated the agreement provides that the City will build the building and the actual closing will be at the conclusion of the construction of the building. Mr. Schoech stated the purchase price is identified as \$400,000, but if the price is less, it will be adjusted. He stated a deposit of \$40,000 will be held in escrow until the closing.

Commissioner Gardner made a motion, seconded by Commissioner Joseph Miller, to approve the Sales Agreement for All Juices & Beverages, LLC and authorize the Mayor to sign the agreement. Vote 4 yeas, 0 nays. (Commissioner Pittman was absent.)

- 5.1. Impact Fee Discussion** – Sarah Catala from Hendry County Planning and Zoning came forward to speak on this issue. Sarah stated since 2008, the Henry County Board of Commissioners (HCBC) has suspended impact fees at 100%. She stated every year, the Board reviews the impact fees and would like to get the City’s opinion of whether the suspension should be continued at 100% or some other percentage. Last year, the HCBC passed an ordinance that suspended all impact fees at 100%, and that impact fees would be reinstated at 50% in 2012. The Commission discussed the pros and cons of suspending the impact fees, but in general, felt that the impact fees should continue to be suspended until the economy begins to recover and when the recovery begins, bring the impact fees back incrementally. It was suggested that the EMS and Fire fees might be looked at for partial reinstatement.
- 6. Presentation on AMR Project and Honeywell Performance Contract** - Utilities Director McCarthy stated the presentation is a Scans Project Update to give the Commission a feel of what it is about. Mr. McCarthy stated that the network, AMI and lift station SCADA are projects that are the base of the project. He stated that the Honeywell contract is a performance based contract and they guarantee savings. Mr. McCarthy will give the Commissioners a copy of the presentation for them to review.

7. Departmental Monthly Activity Reports – Presented for information only.

FINANCIAL REPORT FROM THE FINANCE DIRECTOR – Finance Director Byrd

REPORTS FROM CITY MANAGER – None

REPORTS FROM THE CITY ATTORNEY – None

REPORTS FROM THE CITY COMMISSION – The Commission congratulated Chamber Director Jillian Sparks on the success of the Business Bash. Commissioner Rodriguez stated the more we can market the City, the better off we will be. Commissioner Gardner asked for the breakdown of true cost of the Special Magistrate, including staff time. She also stated she wanted to see the recreation budget overage breakdown. Commissioner Gardner stated she would like to see the City Manager's evaluation on the December agenda. Mayor Miller stated he felt the Chamber was doing a great job and gave his thanks to City staff and thought the City was heading in the right direction. The Commission wished everyone a Happy Thanksgiving.

Adjournment:

The meeting was adjourned at 7:40 p.m.

Richard Miller, Mayor

Marilyn McCorvey, City Clerk